



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#10
B. Webb
5/14/03

In re Patent Application of

OLDHAM

Atty. Ref.: 39-236

Serial No. 09/815,297

Group: 3762

Filed: March 23, 2001

Examiner: G. Evanisko

For: STIMULATION OF MUSCLES

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April 24, 2003

Assistant Commissioner for Patents
Washington, DC 20231

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APR 30 2003

Sir:

TECHNOLOGY CENTER R3700

TERMINAL DISCLAIMER

Your petitioner, The Victoria University of Manchester, a corporation having an office and place of business at Oxford Road, Manchester, Great Britain, represents that it is the assignee as recorded in connection with its parent application (now U.S. Patent 6,236,890) in an assignment at Reel 9949/Frame 0068, of all right, title and interest in and to Application Serial No. 09/815,297, filed March 23, 2001, for STIMULATION OF MUSCLES.

Your petitioner hereby disclaims the terminal part of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent No. 6,236,890 (the '890 Patent) and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to such patent granted on the above-identified application shall be the same as

the legal title to the '890 Patent, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of the '890 Patent in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

The evidentiary documents accompanying this document or referred to above have been reviewed by the undersigned and it is certified that to the best of the assignee's knowledge and belief, title is in the assignee seeking to take action.

The Victoria University of Manchester

By: Jeffrey H. Nelson
Jeffrey H. Nelson (30,481)
Its attorney

Date: April 24, 2003